

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

EUNICE DOUGHERTY,
INDIVIDUALLY and AS ADMINISTRATRIX
U/W and OF THE ESTATE OF
ROSE T. DOUGHERTY, DECEASED

Claim No. CU-8666

Decision No. CU 5873

Under the International Claims Settlement
Act of 1949, as amended

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was presented by EUNICE DOUGHERTY, individually and in her representative capacity, based on an interest in three bonds issued by the Association of the Religious Community of the Company of Jesus of Bethlehem College of Havana. Claimant and her late sister, ROSE T. DOUGHERTY, have been nationals of the United States at all times pertinent to this claim.

In our decision entitled the Claim of Gustavus Basch (Claim No. CU-0972 which we incorporate herein by reference), we held that the properties of the College were nationalized or otherwise taken by the Government of Cuba on May 3, 1961, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per \$1,000 bond of \$459.17 including interest to May 3, 1961.

On the basis of evidence in the record in the instant case, the Commission finds that claimant comes within the terms of the Basch decision; that she was the sole owner of one Belen bond since prior to May 3, 1961; and that she suffered a loss in the amount of \$459.17 in her individual capacity within the meaning of Title V of the Act.

Additionally, the record discloses that the late ROSE T. DOUGHERTY owned two Belen bonds since prior to May 3, 1961; that she died in 1964 and claimant herein, EUNICE DOUGHERTY, was appointed Administratrix under the will of the decedent; and that claimant succeeded to and suffered a loss in the total amount of \$918.34 in her representative capacity within the meaning of Title V of the Act. (See Basch, supra.)

Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from May 3, 1961, the date of loss, to the date on which provisions are made for the settlement thereof. (See Basch, Supra.)

CERTIFICATION OF LOSS


The Commission certifies that EUNICE DOUGHERTY, Individually, suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Four Hundred Fifty-Nine Dollars and Seventeen Cents (\$459.17) with interest at 6% per annum from May 3, 1961 to the date of settlement; and

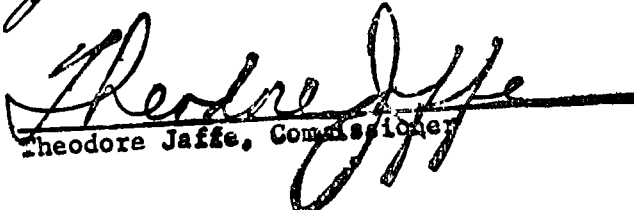
The Commission certifies that EUNICE DOUGHERTY, AS ADMINISTRATRIX U/W and OF THE ESTATE OF ROSE T. DOUGHERTY, DECEASED, suffered a loss, as a result of actions of the Government of Cuba, within the scope of

Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Nine Hundred Eighteen Dollars and Thirty-Four Cents (\$918.34) with interest at 6% per annum from May 3, 1961 to the date of settlement.

Dated at Washington, D.C.,
and entered as the Proposed
Decision of the Commission

SFP 30 1970


Lyle S. Garlock, Chairman


Theodore Jaffe, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities or the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(c) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)